



International Air Carrier Association

The Document Management System  
FAA Docket Number FAA-2002-14081  
US Department of Transportation  
Room Plaza 401  
400 Seventh Street, SW  
Washington DC, DC 20590-0001

10<sup>th</sup> March 2003

Dear Sir,

**SUBJECT: FAA NPRM ON TRANSPONDER CONTINUOUS OPERATION  
(DOCKET No FAA-2002-14081; NPRM No 03-02)**

IACA is a trade organisation representing over 30, mainly European, airlines. A list of our membership is attached for your information. Although predominantly operating within Europe a number of our members do provide a service to and through the US.

IACA seriously questions the FAA's proposals with regard to continuous transponder operations, and is grateful to take the opportunity of this comment period to express our misgivings on this NPRM and to indicate that we would strongly oppose extending any adopted rule to Part 129 operators.

We closely co-ordinate our activities with those of AEA and fully concur with their following statements:

- *Lack of security benefit due to the changed environment.* After 9.11, airlines have been making heavy investments to retrofit aircraft with phases 1 & 2 cockpit doors with the aim of avoiding access to the cockpit by terrorists. As a consequence, the benefit of such a continuous operating transponder can be seriously questioned, since the aim of phase 2 doors is to avoid a repeat of the 9.11 scenario. A revised cost/benefit analysis should take into account the investments made in phases 1 and 2 cockpit doors.
- *Human Factor issue:* European Flight Crew Associations are heavily against such a requirement. It is doubtful whether any flight crew would activate the hijack signal, knowing that this could result in his aircraft being shot down. The views of IFALPA have to be taken into consideration.
- *Negative Flight Safety Impacts:* The aspects of false alarms, communication problems and the possibility of aircraft being shot down inadvertently, have not been properly addressed by the FAA.



- *Incompatibility with international requirements:* There is no such ICAO requirement. The lack of harmonization at international level could create further negative flight safety impact, in particular, for international operating airlines and flight crews.

IACA would encourage you take these points into consideration during your review.

Thank you for your understanding and for allowing us the opportunity to comment on this matter.

Yours sincerely,

Peter Stephenson  
Director Ground Services